Tow

OFE 27 2006 W

PTO/SB/21 (09-06) Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

 Application Number
 10/848,731-Conf. #7336

 Filing Date
 May 19, 2004

 First Named Inventor
 Joost W. D. Pronk Van Hoogeveen

 Art Unit
 2193

 Examiner Name
 Not Yet Assigned

 Attorney Docket Number
 03226/414001; SUN040642

Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication Drawing(s) Fee Transmittal Form Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Appeal Communication to TC Amendment/Reply Petition (Appeal Notice, Brief, Reply Brief) After Final Petition to Convert to a **Proprietary Information** Provisional Application Power of Attorney, Revocation Change of Correspondence Address Affidavits/declaration(s) Status Letter Other Enclosure(s) (please Extension of Time Request Terminal Disclaimer Identify below): **Express Abandonment Request** IDS By Applicant w/5 cited Request for Refund references Return Receipt Postcard x Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority Landscape Table on CD Document(s) Reply to Missing Parts/ Remarks Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name OSHA · LIANG LLP Signature Printed name Chyau Liang Robert P. Lord Date Reg. No. December 27, 2006



Docket No.: 03226/414001; SUN040642

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Joost W. D. Pronk Van Hoogeveen et al.

Application No.: 10/848,731

Filed: May 19, 2004

For: METHOD AND APPARATUS FOR

DEPLOYING SOFTWARE APPLICATIONS

USING A ZONE ARCHITECTURE

Confirmation No.: 7336

Art Unit: 2193

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicant(s) hereby make of record the following additional documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

Applicant(s) have become aware of the following documents, cited in an European Search Report issued November 29, 2006, during the prosecution of European Application No. EP 05104251.3, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. Application No.: 10/848,731 Docket No.: 03226/414001; SUN040642

These documents are cited on the enclosed PTO Form SB/08, and a copy of the European Search Report and of each document required under 37 CFR 1.98(a)(2) cited thereon are enclosed as well.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Furthermore, in accordance with 37 CFR 1.704(d), Applicant(s) note(s) that to our knowledge this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of this statement.

Each item contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. (37 CFR 1.97 (c)(1); 37 CFR 1.97(e)(1)).

Application No.: 10/848,731 Docket No.: 03226/414001; SUN040642

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0591, under Order No. 03226/414001; SUN040642.

Dated: December 27, 2006

Respectfully submitted,

for Robert P. Lord T. Chyan Liang

Registration No.: 46,479 48,883

OSHA · LIANG LLP

1221 McKinney St., Suite 2800

Houston, Texas 77010

(713) 228-8600

(713) 228-8778 (Fax)



PTO/SB/08A/B (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Substitute for form 1449/PTO | | | | Complete if Known | | |
|------------------------------|--|---------|--------|------------------------|-------------------------|--|
| | | | | Application Number | 10/848,731-Conf. #7336 | |
| IN | FORMATIC | ON DISC | LOSURE | Filing Date | May 19, 2004 | |
| ST | STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | First Named Inventor | Joost W. D. Pronk Van | |
| | | | | Art Unit | 2193 | |
| | | | | Examiner Name | Not Yet Assigned | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 03226/414001; SUN040642 | |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No.¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | AA | US-6,496,847 B1 | 12/17/2002 | Bugnion et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|------|---|--------------------|-----------------------------|---|----|
| Examiner | Cite | Foreign Patent Document | Publication | Name of Patentee or | Pages, Columns, Lines, | |
| Initials* | No.1 | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | Date MM-DD-YYYY | Applicant of Cited Document | Where Relevant Passages or Relevant Figures Appear | Τ° |
| | ВА | EP 1 380 947 A2 | 01/14/2004 | Microsoft Corporation | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP-609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | | | |
|---------------------------------|--------------------------|---|----|--|--|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² | | |
| | CA | VMware Corporation: "VMware Virtual Center User's Manual Version 1.0"; March 29, 2004, XP002407050; URL:http://www.vmware.com/pdf/CirtualCenter_Users_Manual.odf; 234 pages | | | |
| | СВ | Barham, P. et al.; "Xen and the Art of Virtualization"; Proceedings of the ACM Symposium on Operating Systems Principles, XX, XX, October 2003, pp. 164-177, XP002298786; 14 pages | | | |
| | СС | "Technical White Paper'; February 1999, XP002241055; URL:http://www.ece.wisc.edu/{jes/902/papers/vmware.pdf; 9 pages | | | |
| | CD | European Search Report dated 11/29/06; 4 pages | | | |

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| Examiner I | | Date | |
|-------------|---|--------------|--|
| | • | | |
| Signature I | | Considered | |
| 0.3 | | Toomologorou | |
| | | | |

¹Applicant's unique citation designation number (optional). 2Applicant is to place a check mark here if English language Translation is attached.

Application No. (if known): 10/848,731

Attorney Docket No.: 03226/414001; SUN040642

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV963979402US in an envelope addressed to:

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

| on _ | December 27, 2006 | <u> </u> | |
|------|----------------------------------|---------------------|------------------|
| | Date | | |
| | | /' | |
| | | // . | |
| | | | |
| | | 1 / | |
| | 1. | $/ \bigcirc /$ | |
| | // | | |
| | <i>V</i> | Signature \ | |
| | | Mona F. Hernandez | |
| | | | |
| | l yped or printed | name of person sign | ning Certificate |
| | | / / | |
| | | _ \ | (713) 228-8600 |
| Reg | gistration Number, if applicable | _ | Telephone Number |

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)

Information Disclosure Statement (3 pages)

IDS (Citation) by Applicant (5 References) (262 pages)